

REMARKS

Claims 2, 5-8, 10, 13-30, and 32-58 are pending in this application. By this Amendment, claims 2, 5-8, 13-24, and 33-36 have been amended. Claims 38-58 have been added. Support for claims 38-39 is found at least at original claims 1-30 and 32-37. Claims 16-18, 38, and 39 are independent claims. Claims 1, 3, and 9 have been canceled without prejudice or disclaimer.

Applicants appreciate the indication in the Office Action that claims 3, 9, 16-18 and 20-22 recite allowable subject matter and base the amendments herein on this indication. Specifically, claims 16-18 have been amended into independent form, including all of the features of claim 1, from which claims 16-18 were depending from. Further, claims 38 and 39 include all of the features of previous claims 1 and 3 and 1 and 9, respectively.

Claim Objections

Claims 1-4, 7, 10, 14, 15 and 22 are objected to because of informalities. Claims 7, 10, 14, 15, and 22 have been amended as suggested in the Office Action.

With regard to the rejection of claims 1-4, the objected recitations now being recited in claims 4, 38, and 39, Applicants respectfully submit that with regard to the objection of original claim 1, a recitation of “the molar ratio of anionogenic and anionic groups of component c1) to cationogenic and cationic groups of component c2) being about 1 : 1,” complies with formal requirements. The insertion of “wherein” suggested in the Office Action would be appropriate if claim 1 were to recite “the molar ratio of anionogenic and anionic groups of component c1) to cationogenic and cationic groups of component c2) is about 1 : 1.” Similarly, with regard to claims 2 and 3, the recitation of “the component a) comprising tert-butyl acrylate,” complies with formal requirements.” The insertion of “wherein” suggested in the Office Action would be appropriate if claim 2 were to recite “the component a) comprises tert-butyl acrylate.”

Claim 4 has been canceled without prejudice or disclaimer and this rejection is moot with regard to this claims.

Claim Rejections under 35 U.S.C. §112

Claims 1-30 and 32-37 are rejected under 35 USC §112, second paragraph, as being indefinite.

Specifically, claim 1 is rejected for reciting obtainable. Claim 1 has been canceled without prejudice or disclaimer and this rejection is moot with regard to this claim. Claims 38 and 39 recite obtained instead of obtainable, as suggested in the Office Action.

Further, claims 12, 13, 22, and 25 have been rejected for reciting a broad and a narrow range. Claims 12, 13, 22, and 25 have been amended to obviate this rejection.

Claim 13 has been rejected because components d) and e) are not defined. The amendments herein obviate this rejection. Claim 22 has been rejected for being unclear. The amendment to claim 22 obviates this rejection.

Claim Rejections under 35 U.S.C. §102

Claims 1, 2, 4-6, 10, 11, 13, 23-30 and 32-37 are rejected under 35 U.S.C. §102(b) as being anticipated by International Publication No. WO 02/38638 to Dausch et al., as evidenced by US Patent No. 7,015,294, which is a counterpart thereof.

As appreciated by the Examiner, Dausch cannot reasonably be considered to suggest the features of claims 3, 9, or 16-18. Thus, independent claims 16-18, 38, and 39 are patentably distinguishable from Dausch.

Claim Rejections Under 35 U.S.C. §103

Claims 7, 8, 12, 14, 15 and 19 are rejected under 35 U.S.C. §103(a) as being unpatentable over Dausch.

As appreciated by the Examiner, Dausch cannot reasonably be considered to suggest the features of claims 3, 9, or 16-18. Thus, claims 7, 8, 12, 14, 15 and 19 are in condition for allowance for at least their respective dependence on independent claims 38 or 39.

In view of the above, consideration and allowance are respectfully solicited.

In the event the Examiner believes an interview might serve in any way to advance the prosecution of this application, the undersigned is available at the telephone number noted below.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 13111-00042-US1 from which the undersigned is authorized to draw.

Dated: July 23, 2010

Respectfully submitted,

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